

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 2:08-CR-311-MMD-(GWF)
)
HAGOB PALIKYAN,)
)
Defendant.)

THIRD AMENDED FINAL ORDER OF FORFEITURE

On March 3, 2011, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, 2461(c); and Title 21, United States Code, Section 853(p) based upon the plea of guilty by defendant HAGOB PALIKYAN to criminal offenses, forfeiting specific property alleged in the Second Superseding Criminal Indictment and agreed to in the Plea Memorandum and shown by the United States to have a requisite nexus to the offense to which defendant HAGOB PALIKYAN pled guilty. Second Superseding Criminal Indictment, ECF No. 103; Change of Plea Minutes, ECF No. 286; Preliminary Order of Forfeiture, ECF No. 288; Plea Memorandum, ECF No. 289; Amended Final Order of Forfeiture, ECF No. 350; Second Amended Final Order of Forfeiture, ECF No. 372.

This Court finds the United States of America published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively

1 from March 8, 2011, through April 6, 2011, further notifying all known third parties by personal
2 service or by regular mail and certified mail return receipt requested, of their right to petition the
3 Court. Notice of Filing Proof of Publication, ECF No. 306; Notice of Filing Service of Process, ECF
4 No. 365.

5 After a preliminary order of forfeiture was executed by the Court, pertaining to all the seized
6 items, the United States notified all known and interested parties of the United States' interest in
7 forfeited items, including the 2008 black Mercedes-Benz wagon, identified as Item No. "aan" below.
8 Thereafter, Victoria Berberian made her interest in the car known and on June 10, 2011, the United
9 States and Victoria Berberian entered into a Stipulation pertaining to the disposition of the Mercedes-
10 Benz vehicle that was filed with this Court on June 10, 2011. Sentencing Minutes, ECF No. 327.
11 Order Granting Stipulation for Return of Property, ECF No. 330.

12 On October 31, 2012, Jon Cestia, Vice President of BMW Financial Services N.A., LLC, was
13 served by certified mail with the Preliminary Orders of Forfeiture and the Notice. Notice of Filing
14 Service of Process, ECF No. 365, p. 2 and 5-57.

15 On October 31, 2012, Ms. Lisa McKinnon, BMW Financial Services N.A., LLC, was served
16 by certified mail with the Preliminary Orders of Forfeiture and the Notice. Notice of Filing Service of
17 Process, ECF No. 365, p. 3 and 5-57.

18 On October 31, 2012, Legal Team, BMW Financial Services N.A., LLC, was served by
19 certified mail with the Preliminary Orders of Forfeiture and the Notice. Notice of Filing Service of
20 Process, ECF No. 365, p. 4-57.

21 On January 17, 2013, BMW Financial Services NA, LLC filed a motion as to Gary
22 Ambartsumyan, a Petition for Declaration of Interest in Seized and Forfeited Property, in regards to a
23 2008 white BMW M5, VIN WBSNB93548CX09044. Sealed Motion, ECF No. 362.

24 On April 30, 2013, the United States filed a proposed Settlement Agreement, Stipulation for
25 Entry of Order of Forfeiture as to BMW Financial Services NA, LLC, and Order. Stipulation, ECF No.
26 366.

1 On May 1, 2013, the Court entered an Order granting the Settlement Agreement as to BMW
2 Financial Services NA, LLC. Order on Stipulation, ECF No. 368.

3 On August 21, 2013, John G. Stumpf, Chairman, President, and CEO of Wells Fargo and
4 Company, was served by regular mail with the Preliminary Orders of Forfeiture and the Notice. Notice
5 of Filing Service of Process – Part I, ECF No. 376 p. 2-55.

6 On August 21, 2013, CSC – Lawyers Incorporating Service, Agent for Service of Process for
7 Wells Fargo and Company, was served by regular and certified return receipt mail with the
8 Preliminary Orders of Forfeiture and the Notice. Notice of Filing Service of Process – Part I, ECF No.
9 376-1 p. 1-55.

10 On August 21, 2013, Brian T. Moynihan, President of Bank of America Corporation, was
11 served by regular mail and certified return receipt mail with the Preliminary Orders of Forfeiture and
12 the Notice. Notice of Filing Service of Process – Part I, ECF No. 376-2 p. 1-55.

13 On August 21, 2013, CT Corporation System, Registered Agent for Bank of America
14 Corporation, was served by regular mail and certified return receipt mail with the Preliminary Orders
15 of Forfeiture and the Notice. Notice of Filing Service of Process – Part I, ECF No. 376-3 p. 1-55.

16 On September 6, 2013, Larry R. Seedig, President of USAA Savings Bank, was personally
17 served with the Preliminary Orders of Forfeiture and the Notice. Notice of Filing Service of Process –
18 Part I, ECF No. 376-4 p. 1-53.

19 On August 21, 2013, The Corporation Trust Company of Nevada, Registered Agent for
20 USAA Savings Bank, was served by regular mail and certified return receipt mail with the Preliminary
21 Orders of Forfeiture and the Notice. Notice of Filing Service of Process – Part II, ECF No. 377 p. 2-
22 56.

23 On September 6, 2013, Gordan & Silver, LTD, Registered Agent for Silver State Schools
24 Credit Union, was served personally served with the Preliminary Orders of Forfeiture and the Notice.
25 Notice of Filing Service of Process – Part II, ECF No. 377-2 p. 1-52.

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1 On August 21, 2013, J. Tyler Haahr, Chairman of the Board, President and CEO of
2 MetaBank, was served by regular mail and certified return receipt mail with the Preliminary Orders of
3 Forfeiture and the Notice. Notice of Filing Service of Process – Part II, ECF No. 377-3 p. 1-55.

4 On August 21, 2013, Michael Corbat, CEO of Citigroup Inc., was served by regular mail with
5 the Preliminary Orders of Forfeiture and the Notice. Notice of Filing Service of Process – Part II, ECF
6 No. 377-4 p. 1-55.

7 On August 21, 2013, C T Corporation System, Registered Agent for Citicorp Inc., was served
8 by regular mail and certified return receipt mail with the Preliminary Orders of Forfeiture and the
9 Notice. Notice of Filing Service of Process – Part III, ECF No. 378 p. 2-56.

10 On September 6, 2013, Mark Ferrario, President, One Nevada Credit Union, was personally
11 served with the Preliminary Orders of Forfeiture and the Notice. Notice of Filing Service of Process –
12 Part III, ECF No. 378-1 p. 1-52.

13 On September 6, 2013, One Nevada Credit Union c/o President/CEO Mark Ferrario,
14 Registered Agent, was personally served with the Preliminary Orders of Forfeiture and the Notice.
15 Notice of Filing Service of Process – Part III, ECF No. 378-2 p. 1-52.

16 On August 21, 2013, David W. Mooney, President and CEO of Alliant Credit Union, was
17 served by regular mail and certified return receipt mail with the Preliminary Orders of Forfeiture and
18 the Notice. Notice of Filing Service of Process – Part III, ECF No. 378-3 p. 1-55.

19 On August 21, 2013, Frank M. Mastrangelo, President and COO of The Bancorp Bank, was
20 served by regular mail and certified return receipt mail with the Preliminary Orders of Forfeiture and
21 the Notice. Notice of Filing Service of Process – Part III, ECF No. 378-4 p. 1-56.

22 On September 3, 2013, Sal Nastasi, President of Bancorp Inc., was personally served with the
23 Preliminary Orders of Forfeiture and the Notice. Notice of Filing Service of Process – Part IV, ECF
24 No. 379-1 p. 1-52.

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1 On September 3, 2013, Corporate Service Center, Inc., Registered Agent for Bancorp Inc.,
2 was personally served with the Preliminary Orders of Forfeiture and the Notice. Notice of Filing
3 Service of Process – Part IV, ECF No. 379-2 p. 1-52.

4 On August 21, 2013, Steven R. Gardner, President and CEO of Pacific Premier Bank, was
5 served by regular mail and certified return receipt mail with the Preliminary Orders of Forfeiture and
6 the Notice. Notice of Filing Service of Process – Part IV, ECF No. 379-3 p. 1-55.

7 On August 21, 2013, C T Corporation System, Agent for Service of Process for Pacific
8 Premier Bank, was served by regular mail and certified return receipt mail with the Preliminary Orders
9 of Forfeiture and the Notice. Notice of Filing Service of Process – Part IV, ECF No. 379-4 p. 1-55.

10 On August 21, 2013, Susan C. Frank, President of Desert Schools Federal Credit Union, was
11 served by regular mail and certified return receipt mail with the Preliminary Orders of Forfeiture and
12 the Notice. Notice of Filing Service of Process – Part V, ECF No. 380 p. 2-56.

13 On August 21, 2013, Becky L. Nilsen, Statutory Agent for Desert Schools Financial Services
14 LLC, was served by regular mail and certified return receipt mail with the Preliminary Orders of
15 Forfeiture and the Notice. Notice of Filing Service of Process – Part V, ECF No. 380-1 p. 1-55.

16 On August 21, 2013, Teresa Halleck, President and CEO of San Diego Country Credit Union,
17 was served by regular mail and certified return receipt mail with the Preliminary Orders of Forfeiture
18 and the Notice. Notice of Filing Service of Process – Part V, ECF No. 380-2 p. 1-55.

19 On August 21, 2013, Tum Vongsawad, Agent for Service of Process for San Diego Country
20 Credit Union, was served by regular mail and certified return receipt mail with the Preliminary Orders
21 of Forfeiture and the Notice. Notice of Filing Service of Process – Part V, ECF No. 380-3 p. 1-55.

22 On August 21, 2013, Stephen O'Connell, President and CEO of North Island Credit Union,
23 was served by regular mail and certified return receipt mail with the Preliminary Orders of Forfeiture
24 and the Notice. Notice of Filing Service of Process – Part V, ECF No. 380-4 p. 1-55.

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1 On August 21, 2013, Angela K. Brill, Agent for Service of Process for North Island Financial
2 Credit Union, was served by regular mail and certified return receipt mail with the Preliminary Orders
3 of Forfeiture and the Notice. Notice of Filing Service of Process – Part VI, ECF No. 381 p. 2-56.

4 On August 21, 2013, Sara Flynn, Registered Agent for Iowa Corporate Holding Company,
5 LLC, was served by regular mail and certified return receipt mail with the Preliminary Orders of
6 Forfeiture and the Notice. Notice of Filing Service of Process – Part VI, ECF No. 381-1 p. 1-55.

7 On August 21, 2013, Masashi Oka, President and CEO of Union Bank, was served by regular
8 mail and certified return receipt mail with the Preliminary Orders of Forfeiture and the Notice. Notice
9 of Filing Service of Process – Part VI, ECF No. 381-2 p. 1-55.

10 On August 21, 2013, Registered Agent Solutions, Inc., Agent for Service of Process for
11 UnionBanCal Corp., was served by regular mail and certified return receipt mail with the Preliminary
12 Orders of Forfeiture and the Notice. Notice of Filing Service of Process – Part VI, ECF No. 381-3 p.
13 1-55.

14 On August 21, 2013, Carolyn Dwelle, President and CEO of Central Credit Union of Florida,
15 was served by regular mail and certified return receipt mail with the Preliminary Orders of Forfeiture
16 and the Notice. Notice of Filing Service of Process – Part VI, ECF No. 381-4 p. 1-55.

17 On August 21, 2013, Richard K. Davis, President and CEO of Bancorp, was served by regular
18 mail and certified return receipt mail with the Preliminary Orders of Forfeiture and the Notice. Notice
19 of Filing Service of Process – Part VII, ECF No. 382 p. 2-56.

20 On August 21, 2013, C T Corporation System Inc., Registered Agent for Bancorp, was served
21 by regular mail and certified return receipt mail with the Preliminary Orders of Forfeiture and the
22 Notice. Notice of Filing Service of Process – Part VII, ECF No. 382-1 p. 1-55.

23 On August 21, 2013, James Dimon, CEO and President of JPMorgan Chase & Co., was
24 served by regular mail with the Preliminary Orders of Forfeiture and the Notice. Notice of Filing
25 Service of Process – Part VII, ECF No. 382-2 p. 1-54.

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1 On August 21, 2013, C T Corporation System, Department of State Process for JPMorgan
2 Chase & Co., was served by regular mail with the Preliminary Orders of Forfeiture and the Notice.
3 Notice of Filing Service of Process – Part VII, ECF No. 382-3 p. 1-54.

4 This Court finds no other petition was filed herein by or on behalf of any person or entity and
5 the time for filing such petitions and claims has expired.

6 This Court finds no petitions are pending with regard to the assets named herein and the time
7 for presenting such petitions has expired.

8 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
9 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
10 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.
11 32.2(c)(2); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code,
12 2461(c); Title 18, United States Code, Section 1028A(a)(1) and (c)(4); and Title 21, United States
13 Code, Section 853(n)(7) and (p) and shall be disposed of according to law:

- 14 a. Sony Brown 42" Lcd Tv, S/N 1050106;
- 15 b. Sony Brown 42" Lcd Tv, S/N 1002050;
- 16 c. Dell Model 1320 Laser Printer, S/N 35rphf1;
- 17 d. Dell Model 1850 Laser Printer, S/N H1c34091;
- 18 e. Acer Laptop, S/N Lxal70x043820001ef2513;
- 19 f. Dell Xps Laptop, S/N 5vg3kd1;
- 20 g. Apple Mac Laptop, S/N W8807f5dop1;
- 21 h. Hp Laptop, S/N 2ce7222m6q;
- 22 i. Mac Book Air, S/N W8813ppuy51;
- 23 j. Miscellaneous Cards, Cables, Remotes, Controllers, Stands;
- 24 k. 3.5 X Drive, Extend Harddrive, S/N 020851;
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- l. Apple Tv, S/N 6f8182w04cp;
- m. Wd External Hard Drive, S/N Wxh207674808;
- n. Msr 206 Encoder, S/N A015401;
- o. Psp Portable, S/N Pp865026504-Psp1001;
- p. Psp Portable, S/N At045924040-Psp2001;
- q. Ipod Touch 16 Bg, S/N 1c80167a/4p;
- r. Iphone, S/N 5k81880jwh8;
- s. Iphone, S/N Bcga1241;
- t. Iphone, S/N 5k80247kwh8;
- u. Iphone, S/N 579ca1241;
- v. Sandisk 2 Gb Flashdrive, S/N 2048rb;
- w. Sandisk 4 Gb Flashdrive, S/N 4096rb;
- x. Sandisk 1 Gb Flashdrive, S/N 1024rb;
- y. Pny Attache 1 Gb Flashdrive, No S/N;
- z. Logitech Mx Revolution Thumbdrive, S/N 810-000412;
- aa. Iron Key Thumbdrive, S/N 0140485;
- ab. Iron Key Thumbdrive, S/N 0140551;
- ac. Dell Xps Tower, S/N 30gzcg1;
- ad. Playstation 3, S/N Ce124062502-Cecha01;
- ae. Playstation 3, S/N Ce514635354-Cechg01;
- af. Xbox 360, S/N 311730682105;
- ag. Xbox 360, No S/N;
- ah. 1 - Xbox 360 Video Game;

- ai. 11 - Playstation 3 Video Games;
- aj. 6 - Psp Games In Case;
- ak. 35 - Blue Ray Movies;
- al. Wtj-90a Tipper;
- am. \$3,000 Cash (From Gary Ambartsumyan's room);
- an. \$4900 Cash (From Artur Ambartsumyan's room);
- ao. \$14,802.63 in Money Gram Money Orders;
- ap. Mens' Breitling Bentley Watch, S/N A25362; and
- aq. Mens' Breitling Bentley Watch;
- ar counterfeit access device containing unauthorized account information for Visa debit card account in the name of M.V., account number ending in X-4923;
- as. counterfeit access device containing unauthorized account information for Visa debit card account in the name of G.V., account ending in X-2319;
- at. counterfeit access device containing unauthorized account information for Visa debit card account in the name of C.D., account ending in X-1918;
- au. counterfeit access device containing unauthorized account information for a Bank of America Visa debit card account, account ending in X-7119;
- av. counterfeit access device containing unauthorized account information for Bank of America Visa debit card account in the name of J.R., account ending in X-4609;
- aw. counterfeit access device containing unauthorized account information for a Bank of America Visa debit card account in the name of B.J., account ending in X-1577;

- 1 ax. counterfeit access device containing unauthorized account information for a
2 Bank of America Visa debit card account, account ending in X-8491;
- 3 ay. counterfeit access device containing unauthorized account information for Bank
4 of America Visa debit card account, account ending in X-6657;
- 5 az counterfeit access device containing unauthorized account information for Bank
6 of America Visa debit card account, account ending in X-9612;
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8 aaa. counterfeit access device containing unauthorized account information for Bank
9 of America Visa debit card account in the name of G.S., account ending in X-
10 2034;
- 11 aab. counterfeit access device containing unauthorized account information for Bank
12 of America Visa debit card account in the name of C.S., account ending in X-
13 3846;
- 14 aac. counterfeit access device containing unauthorized account information for Bank
15 of America Visa debit card account in the name of S.K., account ending in X-
16 5010;
- 17 aad. counterfeit access device containing unauthorized account information for Bank
18 of America Visa debit card account in the name of E.H., account ending in X-
19 4275;
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21 aae. counterfeit access device containing unauthorized account information for Bank
22 of America Visa debit card account in the name of B.W., account ending in X-
23 7341;
- 24 aaf. counterfeit access device containing unauthorized account information for Bank
25 of America Visa debit card account, account ending in X-3019;
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- 1 aag. counterfeit access device containing unauthorized account information for Bank
2 of America Visa debit card account in the name of D.R., account ending in X-
3 4018;
- 4 aah. counterfeit access device containing unauthorized account information for Bank
5 of America Visa debit card account, account ending in X-7017;
- 6 aai. counterfeit access device containing unauthorized account information for Bank
7 of America Visa debit card account, account ending in X-6691;
- 8 aaj. counterfeit access device containing unauthorized account information for
9 Wells Fargo debit card account, number ending in X-4424;
- 10 aak. counterfeit access device containing unauthorized account information for a
11 Wells Fargo debit card account, account number ending in X-7930;
- 12 aal. counterfeit access device containing unauthorized account information for a
13 Wells Fargo debit card account, number ending in X-6110;
- 14 aam. 2008 White BMW M5, VIN WBSNB93548CX09044;
- 15 aan. 2008 Black Mercedes Benz G-500 Wagon, VIN WDCYR49E38X171546;
- 16 aao. 2006 Black Quad Cab Dodge Dakota Truck, VIN 1D7HA18286J185015; and
- 17 aap. an *in personam* criminal forfeiture money judgment of \$663,089.35 in United
18 States Currency (“the property”).
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22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds,
23 including but not limited to, currency, currency equivalents, certificates of deposit, as well as any
24 income derived as a result of the United States of America’s management of any property forfeited
25 herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.
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1 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
2 certified copies to the United States Attorney's Office.

3 DATED this 22nd day of January, 2014

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7 UNITED STATES DISTRICT JUDGE
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PROOF OF SERVICE

I, Ray Southwick, Forfeiture Support Associates Paralegal, certify that the following individuals were served with copies of the Third Amended Final Order of Forfeiture on January 17, 2014, by the below identified method of service:

CM/ECF:

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Na, LLC
Interested Party

/s/ Ray Southwick
Ray Southwick
Forfeiture Support Associates Paralegal